

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) — Declaration Submitted with Initial Filing OR <u>X</u> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	AERX062CIP
	Application Number	09/960,642
	Confirmation Number	6508
	First Named Inventor	Schuster et al.
	Filing Date	September 20, 2001
	Group Art Unit	3764
	Examiner Name	Unassigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TEMPERATURE CONTROLLING DEVICE FOR AEROSOL DRUG DELIVERY

the specification of which:

— is attached hereto

OR

X was filed on September 20, 2001 as United States Application Number or PCT International Application Number 09/960,642 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined by 37 CFR 1.56.

Insofar as the subject matter of each of the claims of this application are not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application(s) designating the United States of America, listed below.

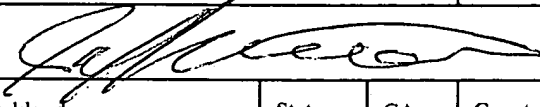
U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/690,242	October 16, 2000	6,263,872
09/107,306	June 30, 1998	6,131,570
08/752,946	November 21, 1996	5,906,202

DIRECT ALL CORRESPONDENCE TO:

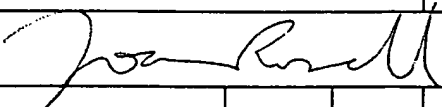
Name	Alan W. Cannon				
Address	BOZICEVIC, FIELD & FRANCIS LLP				
Address	200 Middlefield Road, Suite 200				
City, State, Zip	Menlo Park, CA 94025				
Country	U.S.A.	Telephone	650-327-3400	Facsimile	650-327-3231


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

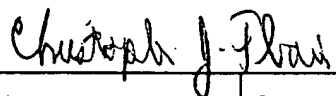
Name of Sole or First Inventor:

Given Name (first and middle [if any])				Family Name or Surname			
Jeffrey A.				Schuster			
Inventor's Signature						Date	2-1 JAN 01
Residence: City	Oakland	State	CA	Country	United States	Citizenship	U.S.A.
Post Office Address	7188 Sayre						
City	Oakland	State	CA	Zip	94611	Country	U.S.A.

Name of Second Inventor:

Given Name (first and middle [if any])				Family Name or Surname			
Joan				Rosell			
Inventor's Signature						Date	24 JAN 02
Residence: City	Castro Valley	State	CA	Country	United States	Citizenship	Spain
Post Office Address	19166 Gliddon Street						
City	Castro Valley	State	CA	Zip	94546	Country	U.S.A.

Name of Third Inventor:							
Given Name (first and middle [if any])					Family Name or Surname		
Avi					Eliahu		
Inventor's Signature						Date	
Residence: City	Oakland	State	CA	Country	United States	Citizenship	U.S.A.
Post Office Address	764 Kingston Ave. Apt. # 8						
City	Oakland	State	CA	Zip	94611	Country	U.S.A.

Name of Fourth Inventor:							
Given Name (first and middle [if any])					Family Name or Surname		
Christopher J.					Flaim		
Inventor's Signature						Date	
Residence: City	Modesto	State	CA	Country	United States	Citizenship	U.S.A.
Post Office Address	3708 Almond Blossom Court						
City	Modesto	State	CA	Zip	95356	Country	U.S.A.